

AMENDMENTS TO THE CLAIMS:

This listing of claims will replace all prior versions, and listings of claims in the application:

LISTING OF CLAIMS:

1-16. (canceled)

17. (currently amended) An information recording medium comprising a plurality of recording layers to record therein information, wherein

at least one of the plurality of recording layers has a management information area to record therein at least (i) first recording condition information which indicates a first optimum recording condition for a first recording layer of the plurality of recording layers when the information is recorded into the first recording layer and (ii) a second recording condition information which indicates a second optimum recording condition for a second recording layer of the plurality of recording layers when the information is recorded into the second recording layer,

~~at least (i) a first recording speed information which indicates a first recordable maximum speed for the first recording layer and (ii) a second recording speed information which indicates a second recordable maximum speed for the second recording layer are recorded in the management information area,~~

~~the first recording condition information for the first recording layer is recorded in the management information area, correspondingly to the first recording speed information,~~

~~the second recording condition information for the second recording layer is recorded in the management information area correspondingly to the second recording speed information,~~

~~the management information area is disposed nearer an inner circumference in a top layer out of the plurality of recording layers and includes a portion in which the recording condition information with respect to the plurality of recording layers is collectively recorded,~~

the first and second recording condition information include strategy information,

the first recording condition information is different from the second recording condition information, and

the first and second recording condition information are periodically recorded in the management information area of the first recording layer.

18-20. (cancelled)

21. (previously presented) The information recording medium according to claim 17, wherein identification information for identifying said information recording medium is recorded in the management information area.

22. (currently amended) The information recording medium according to claim 17, wherein the first and second recording condition information ~~is~~are at least partially recorded from the beginning of production of said information recording medium, as pre-information of said information recording medium.

23. (previously presented) The information recording medium according to claim 17, wherein the first and second recording condition information are at least partially recorded or updated, as written-once or rewritable information.

24. (cancelled)

25. (previously presented) The information recording medium according to claim 17, wherein the management information area is disposed in each of the recording layers.

26. (canceled)

27. (currently amended) An information recording apparatus for recording information onto an information recording medium comprising a plurality of recording layers to record therein the information, wherein at least one of the plurality of recording layers has a management information area to record

therein at least (i) first recording condition information which indicates a first optimum recording condition for a first recording layer of the plurality of recording layers when the information is recorded into the first recording layer and (ii) a second recording condition information which indicates a second optimum recording condition for a second recording layer of the plurality of recording layers when the information is recorded into the second recording layer, ~~at least (i) a first recording speed information which indicates a first recordable maximum speed for the first recording layer and (ii) a second recording speed information which indicates a second recordable maximum speed for the second recording layer are recorded in the management information area, the first recording condition information for the first recording layer is recorded in the management information area, correspondingly to the first recording speed information, the second recording condition information for the second recording layer is recorded in the management information area, correspondingly to the second recording speed information, the management information area is disposed nearer an inner circumference in a top layer out of the plurality of recording layers, and includes a portion in which the recording condition information with respect to the plurality of recording layers is collectively recorded, the first and second recording condition information include strategy information, the first recording condition information is~~

different from the second recording condition information, and
the first and second recording condition information are
periodically recorded in the management information area of the
first recording layer,

said information recording apparatus comprising:

a reading device for reading the first and second
recording condition information from the management information
area;

~~a recording speed setting device for setting a~~
~~recording speed corresponding to a recording target layer in~~
~~which the information is to be recorded, on the basis of the read~~
~~first and second recording condition information; and~~

a recording device for recording the information into
~~the~~ a recording target layer in which the information is to be
recorded on the basis of the read first or second recording
condition information ~~at the set recording speed.~~

28-30. (canceled)

31. (currently amended) An information recording
method of recording information onto an information recording
medium comprising a plurality of recording layers to record
therein the information, wherein at least one of the plurality of
recording layers has a management information area to record
therein at least (i) first recording condition information which

indicates a first optimum recording condition for a first recording layer of the plurality of recording layers when the information is recorded into the first recording layer and (ii) a second recording condition information which indicates a second optimum recording condition for a second recording layer of the plurality of recording layers when the information is recorded into the second recording layer, ~~at least (i) a first recording speed information which indicates a first recordable maximum speed for the first recording layer and (ii) a second recording speed information which indicates a second recordable maximum speed for the second recording layer are recorded in the management information area the first recording condition information for the first recording layer is recorded in the management information area correspondingly to the first recording speed information, the second recording condition information for the second recording layer is recorded in the management information area correspondingly to the second recording speed information, the management information area is disposed nearer an inner circumference in a top layer out of the plurality of recording layers and includes a portion in which the recording condition information with respect to the plurality of recording layers is collectively recorded, the first and second recording condition information include strategy information, the first recording condition information is different from the second recording condition information, and the first and second~~

recording condition information are periodically recorded in the management information area of the first recording layer,

said information recording method comprising:

a reading process of reading the first and second recording condition information from the management information area;

~~a recording speed setting process of setting a recording speed corresponding to a recording target layer in which the information is to be recorded, on the basis of the read first and second recording condition information; and~~

a recording process of recording the information into the a recording target layer in which the information is to be recorded on the basis of the read first or second recording condition information at the set recording speed.

32. (cancelled)

33. (previously presented) The information recording medium according to claim 17, wherein the first and second recording condition information include optimum power information of laser for recording.

34-36. (canceled)